IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No.1566 of 2005
Date of Decision:- 27.11.2006

Bhoop Singh ....Petitioner

through
Mr.Sanjeev Kodan, Advocate

vs.

Mool Chand Sharma ....Respondent

through
Mr.S.K.Sharma, Advocate.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

Claiming that they are entitled to get two advance increments, the petitioner along with others filed C.W.P.No.1215 of 2003 which was disposed of by this Court on January 24, 2003 with a direction to the third respondent in the writ petition to decide the legal notice which the petitioners had already served upon the authorities, by passing a speaking order within a period of three months.

Alleging non-compliance of the above-stated order, this contempt petition has been filed against the Secretary, University Grants Commission, namely, respondent No.3 in the writ petition.

In response to the show cause notice, Mr.S.K.Sharma, learned counsel has put in appearance on behalf of the respondent. It is submitted by him that the said respondent has principally accepted the claim of the petitioner, however, the advance increments are required to be granted by the Government of Haryana and not by the University Grants Commission. According to Sh. Sharma, the respondent has already written to the

authorities in the State Government on more than one occasion to take a decision on the legal notice of the petitioner which in fact was served upon respondents No.1 and 2 in the writ petition i.e. the State of Haryana and its authorities.

In this view of the matter, this contempt petition is disposed of with a direction to (i) The Principal Secretary to Government of Haryana, Higher Education Department, (ii) the Director General of Higher Education Haryana, to take a decision on the recommendations made by the Secretary, University Grants Commission vide his letter No.F.16-19 (P&H)/2005 (L) dated 4.10.2006, within a period of two months from today and communicate the said decision to the petitioner. If it is found that pursuant to the above-stated letter written by the University Grants Commission, the petitioner is entitled to the benefit of advance increments, the same shall be released in his favour within the aforesaid period. However, if the authorities in the State Government find that the petitioner is not entitled to the said benefit, a speaking order to this effect shall be passed and conveyed to him.

Rule discharged.

November 27, 2006 **(SURYA KANT)**
poonam **JUDGE**